

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

BERTON M. HOCHFELD and
HOCHFELD CAPITAL MANAGEMENT, L.L.C.,

Defendants,

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 6/19/15

ECF CASE

12-CV-8202 (PGG)

ORDER TO APPROVE FINAL ACCOUNTING, DISBURSE
REMAINING FUNDS, TERMINATE FAIR FUND AND DISCHARGE PLAN
ADMINISTRATOR

The Court, having reviewed the Securities and Exchange Commission's Motion to Approve Final Accounting, Disburse Remaining Funds, Terminate Fair Fund and Discharge Plan Administrator, and the supporting Declaration of Charles Winebrenner, and for good cause shown,

IT IS HEREBY ORDERED:

1. The final accounting is approved.
2. Roland Riopelle ("Riopelle"), as custodian of the escrow accounts that comprise the Fair Fund, shall issue a check for the amount of \$3,500 payable to "Damasco & Associates, LLP" for the payment of tax compliance services fees incurred in 2014. The check shall contain the notation "SEC v. Hochfeld et al., No 12-8202, Inv. 4845."
3. Riopelle shall send the check by overnight mail to:

Damasco & Associates
700 Monte Vista Lane
Half Moon Bay, California 94019
Phone: (650) 726-4100

4. Riopelle shall issue a check to Charles J. Winebrenner for the remaining amount in the Fair Fund to be used for the common good of the Heppelwhite investors. The check shall contain the notation "SEC v. Hochfeld et al., No. 12-8202."

5. Riopelle shall send the check by overnight mail to Charles Winebrenner at his known address in Maryland.

6. Having approved the final accounting and disbursement of remaining funds, the Heppelwhite Fair Fund is hereby terminated and the Plan Administrator discharged pursuant to the Plan of Distribution.

Dated: June 19, 2015

Paul J. Ward Jr.
UNITED STATES DISTRICT JUDGE